

JUN 30 1971

PROCLAMATION

BY THE

Governor of the State of Texas

TO ALL TO WHOM THESE PRESENTS SHALL COME:

June 17, 1971

I am vetoing and filing with the Secretary of State, Senate Bill 580.

Although this bill was originally intended to effect certain desirable and beneficial changes in the Municipal Annexation Act, Senate Bill 580 in final form presents serious legal problems which necessitate my action in vetoing the bill.

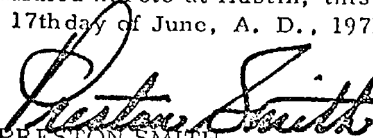
In its original form this bill may not have been intended to have a retroactive effect, however, through the addition of an amendment on the floor of the House of Representatives designed to protect the annexation of the proposed site of the University of Texas at San Antonio, the inference that the bill is retroactive in effect was created. The amendment which was designed to protect the annexation of the University of Texas at San Antonio site was inadequately drafted to carry out its alleged purpose and Senate Bill 10 was passed during the First Called Session, 62nd Legislature, in an attempt to remedy the shortcomings of the amendment. Senate Bill 10 further strengthened the implication that Senate Bill 580 was retroactive and created further problems of its own.

I am not opposed to Senate Bill 580 in principle, however, the possibility that the bill may be construed as having retroactive effect on annexation proceedings either previously completed or presently underway necessitates my vetoing of the bill. It was not the intent of the original bill for the bill to be retroactive, nor would it be in the best interests of the State to subject our municipalities to litigation to resolve the issue of retroactivity. For these reasons, I hereby veto Senate Bill 580.

Senate Bill 580 was received on May 29, 1971, less than ten (10) days prior to the adjournment of the Regular Session of the 62nd Legislature.

Therefore in accordance with the provisions of Article IV, Section 14, of the Constitution, the State of Texas, I am filing this Proclamation together with the bill in the Office of the Secretary of State.

IN TESTIMONY WHEREOF, I have hereunto signed my name officially and caused the Seal of State to be affixed hereto at Austin, this the 17th day of June, A. D., 1971.


PRESTON SMITH

GOVERNOR OF TEXAS

By the Governor

Secretary of State